

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE - ANIMAL SERVICES DIVISION

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 2, Department of Agriculture - Animal Services Division
Article and its heading: 2, Meat and Poultry Inspection
Section numbers: R3-2-203
2. **The subject matter of the proposed rule:**
This rule sets up the requirements for the processing, sale or storage of diseased animals, and establishes that otherwise healthy animals injured by accident may be slaughtered without inspection if the meat is used by the owner.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4:30 p.m. at the address listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
This rule will be included with the exempt slaughterer rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE - PLANT SERVICES DIVISION

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Article and its heading: 2, Quarantine
Section numbers: R3-4-242
2. **The subject matter of the proposed rule:**
This rulemaking establishes an area of quarantine for the brown citrus aphid and sets up the restrictions, treatment, and disposition of the commodities known to carry the pest.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420

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5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question 4. Oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the location listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) - ADMINISTRATION

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 22, Arizona Health Care Cost Containment System (AHCCCS) - Administration
Article and its heading: 13, Members' Rights and Responsibilities
Section numbers: R9-22-1301 through R9-22-1309
2. **The subject matter of the proposed rule:**
This rulemaking package is to conform to *Perry vs. Kelly*. This rulemaking applies when there are disagreements between the contractor and the health care provider regarding the provision of care. The rulemaking package is being written to describe when an AHCCCS contractor makes a decision that is detrimental to a beneficiary (for example, deny, reduce, suspend or terminate services), the beneficiary must be given a written notice and opportunity to appeal, with ongoing services to continue pending a decision on the appeal.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 3 A.A.R. 1690, June 20, 1997
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Cheri Tomlinson
Address: AHCCCS Administration
Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. Public hearings will be scheduled later, during which time oral comments may be presented.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Administration anticipates filing a proposed rulemaking package by the beginning of April 1998.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
ARIZONA LONG-TERM CARE SYSTEM**

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System (AHCCCS) - Arizona Long-Term Care System
Article and its heading: 12, Members' Rights and Responsibilities
Section numbers: R9-28-1201
2. **The subject matter of the proposed rule:**
This rulemaking package is to conform to *Perry vs. Kelly*. This rulemaking applies when there are disagreements between the contractor and the health care provider regarding the provision of care. The rulemaking package is being written to describe when an AHCCCS contractor makes a decision that is detrimental to a beneficiary (for example, deny, reduce, suspend or terminate services), the beneficiary must be given a written notice and opportunity to appeal, with ongoing services to continue pending a decision on the appeal.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 3 A.A.R. 1690, June 20, 1997
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Cheri Tomlinson

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Address: AHCCCS Administration
Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. Public hearings will be scheduled later, during which time oral comments may be presented.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Administration anticipates filing a proposed rulemaking package by the beginning of April 1998.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
PREMIUM SHARING DEMONSTRATION PROJECT**

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 30, Arizona Health Care Cost Containment System (AHCCCS) - Premium Sharing Demonstration Project
Article and its heading: 8, Members' Rights and Responsibilities
Section numbers: R9-30-801 through R9-30-809
2. **The subject matter of the proposed rule:**
This rulemaking package is to conform to *Perry vs. Kelly*. This rulemaking applies when there are disagreements between the contractor and the health care provider regarding the provision of care. The rulemaking package is being written to describe when an AHCCCS contractor makes a decision that is detrimental to a beneficiary (for example, deny, reduce, suspend or terminate services), the beneficiary must be given a written notice and opportunity to appeal, with ongoing services to continue pending a decision on the appeal.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Cheri Tomlinson
Address: AHCCCS Administration
Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. Public hearings will be scheduled later, during which time oral comments may be presented.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Administration anticipates filing a proposed rulemaking package by the beginning of April 1998.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA DEPARTMENT OF COMMERCE

1. **Title and its heading:** 20, Commerce, Banking, And Insurance
Chapter and its heading: 1, Department of Commerce
Article and its heading: 3, Low-Income Housing Tax Credits (*This is a new Article*)
Section numbers: R20-1-301 (*This is a new Section. Section numbers may be added, deleted or modified during this rulemaking to address the subject matter in question #2 below.*)
2. **The subject matter of the proposed rule:**
In accordance with A.R.S. § 35-728(B), establish rule criteria by which the Arizona Department of Commerce publishes guidelines for administration of its Low-Income Housing Tax Credit Program.

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3. A citation to all published notices relating to the proceeding:
None published.
4. The name and address of agency personnel with whom persons may communicate regarding the rule:
Name: Joan E. Laurence
Address: Arizona Department of Commerce
3800 North Central Avenue, Suite 1400
Phoenix, Arizona 85012
Telephone: (602) 280-8181
Fax: (602) 280-1305
5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
To be determined.
6. A timetable for agency decisions or other action on the proceeding, if known:
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WEIGHTS AND MEASURES

1. Title and its heading: 20, Commerce, Banking, And Insurance
Chapter and its heading: 2, Department of Weights and Measures
Article and its heading: 1, Administration and Procedures
2, Weighing and Measuring Devices
5, Public Weighmasters
8, Used Oil and Used Oil Fuel
9, Gasoline Vapor Control
Section numbers: R20-2-108 and R20-2-109; R20-2-202; R20-2-502; R20-2-801, R20-2-802, R20-2-804 through R20-2-806, and R20-2-808 through R20-2-812; R20-2-905, R20-2-906, and R20-2-911.
2. The subject matter of the proposed rule:
The Department of Weights and Measures rules establish the governing process of the licensure and enforcement of all weighing and measuring devices, used oil and vapor recovery systems to achieve the purposes of A.R.S. § 41-2051 et seq. Proposed rules will add a rule for enforcement of vapor recovery systems, amend existing language, repeal obsolete language, add a rule for the administrative hearing process and renumber rules, where appropriate, and repeal rules pertaining to used oil and used oil fuel.
The agency docket number:
R97-40
3. A citation to all published notices relating to the proceeding:
Notice of Docket Opening: 3 A.A.R. 678, February 28, 1997.
4. The name and address of agency personnel with whom persons may communicate regarding the rule:
Name: Dennis Ehrhart or Sandy Williams
Address: Arizona Department of Weights and Measures
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258
Telephone: (602) 255-5211
Fax: (602) 255-1950
5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
Written and oral comments will be accepted Monday through Friday, 8 a.m. to 5 p.m. at the address listed in question #4.
6. A timetable for agency decisions or other action on the proceeding, if known:
The agency's proposed timetable is: file Notice of Proposed Rulemaking on April 17, 1998; public comment hearing on June 8, 1998; close of record, consideration of rulemaking and economic, small business and consumer impact statement, and adoption on June 9, 1998; submission to GRRC on June 22, 1998; GRRC review on August 4, 1998; and file Notice of Final Rulemaking on August 5 through September 1, 1998.